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VIRGINIA LAW REGISTER.

JNO. GARLAND POLLARD, EDITOR, Richmond, Va.

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It is our purpose from time to time to publish short sketches and likenesses of our present judges of the Circuit and Corporation Courts. Virginia is blessed with an unusually large proportion of able trial judges. The proper administration of
Judge justice depends largely upon their integrity and intelligence, for in a vast majority of cases they are the final arbitrators of the rights of our citizens.
C. E. Nicol.

We present this month the likeness of Judge C. E. Nicol of the Sixteenth Circuit. Judge Nicol was educated at Richmond College and at the University of Virginia, winning at both institutions high distinction as a writer and speaker. He was a member of the General Assembly at the sessions of 1879-80, 1881-82 and 1893-94. At a very early age he won distinction as a lawyer, and before he retired from the bar he had been employed in some of the largest and most important suits, and had accumulated a competency by his practice.

Notwithstanding Judge Nicol's success at the bar, his chief distinction must rest upon his eminent qualities as a judge. He has the marked gift of being able to divide a proposition into its component parts speedily and accurately, and his statements from the bench are such as to carry conviction with them. While on the bench he is the soul of dignity, yet at all times courteous and considerate, especially of the younger and more diffident members of the bar.

Judge Nicol has a most wonderful power of endurance. His robust health enables him, in addition to his duties as judge, to attend to various business enterprises, among which is the Alexandria National Bank, of which he is president.

We have before us the first report of the Virginia State Corporation Commission, a volume containing one thousand three hundred and sixteen pages. The report shows that the commission granted its first charter May 23rd, 1903, and up to January 1st, 1904, had issued four hundred and eighty-two charters. The most gratifying feature of the report is the fact that it is clearly shown that the state will derive about one-half million dollars annually through the commission from new forms of taxation created by the new constitution. This sum alone would be sufficient to increase to eight months the public school term throughout the entire state.

The first part of the report embraces the constitutional and statutory provisions relating to the creation, organization and functions of the commission; a list of corporations created; circulars issued by the commission; rules of practice and procedure before the commission; leading matters formally disposed of by the commission, and the assessment of the properties and the franchise tax on canals and railroad companies, and of the properties of the other companies required by law to be assessed by the commission. The second part contains the report of the canal companies, steam and electric railroad companies, with statistics compiled from these reports; and also the report of the steamboat and express companies, and of the telephone and telegraph companies.

Examination of recent legislation discloses the fact that in many of the states the divorce laws are being made more stringent. One of the greatest abuses sought to be corrected is that of the parties obtaining divorce by collusion. In order to prevent this, Colorado, Idaho, Wyoming, Indiana, Minnesota, Oregon and Washington require the state to be made a party to every divorce suit, and the attorney for the commonwealth must appear and resist all divorces where he believes there has been collusion, or where the parties have not strictly complied with the law. This is a most commendable piece of legislation and it is what we need in Virginia. The parties should be made to deposit with the writ tax a fee to be paid the commonwealth's attorney for representing the state. The mere knowledge that the at-

torney for the commonwealth would appear will deter many from bringing suit, especially those who commit crimes for the purpose of "making" a ground for divorce. Virginia has recently decreased the probability of fraudulent divorces by requiring the depositions to be taken before a commissioner in chancery and all papers to be served by an officer (Va. Code Anno., sec. 2260). Advertising for divorce suits is also prohibited by a recent statute (*id.*, sec. 2266a).

Our associate editor, Mr. Garnett, calls attention in this issue to what appears to us to be a serious defect in the Barksdale Pure Election Law. Mr. Garnett shows quite clearly that parties implicated in the violation of the act cannot be compelled to testify, and if this be true, its efficiency is largely destroyed. The act has already done so much to lessen corrupt practices in elections, that it is hoped that the legislature will at the first opportunity strengthen the law in the particular pointed out.

Mr. James Barr Ames, dean of the Harvard Law School and chairman of the section on Legal Education of the American Bar Association, in delivering the opening address at the recent St. Louis meeting, called attention to the fact that all Southern Law Schools. Southern law schools, with the exception of two negro institutions, had failed to adopt a three-year course, and could therefore no longer remain in fellowship with the Association of American Law Schools according to a rule theretofore adopted by that association. He also stated that the University of Virginia was the only Southern white school which required an entrance examination.

President James Hagerman, of the American Bar Association, in delivering his recent annual address, gave a useful summary of recent legislation in the United States. He dealt at some length with the new Virginia statutes. It is interesting to note his remarks touching our new act concerning corporations. He said, "The provisions are very liberal towards corporations, and enable three or more persons to get a charter for any lawful business on almost any terms they desire by applying

therefor, and paying the charter tax, which is a graduated one. So far as private corporations are concerned it is clearly the policy of the state, as disclosed in these laws, that they shall play an important part in business life."

The recent meeting of the Board of Commissioners for the Promotion of Uniformity of Legislation in the United States was taken up in the consideration with the **Commissioners on Williston Act, governing the sale of goods. Uniform Legislation.** Three days were spent in the perfecting of the act. Consideration of the subject was not completed but was passed over until next year, when it will be again considered in connection with a proposed uniform act governing warehouse receipts. The Virginia members of the commission are Judge A. A. Phlegar, Hon. R. T. Barton and Mr. Jno. Garland Pollard.



JUDGE C. E. NICOL,
SIXTEENTH VIRGINIA JUDICIAL CIRCUIT.